

ESTTA Tracking number: **ESTTA47485**

Filing date: **10/06/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<b>Proceeding.</b>	91161619
<b>Applicant</b>	Plaintiff BAUSCH & LOMB INCORPORATED  BAUSCH & LOMB INCORPORATED ONE BAUSCH & LOMB PLACE ROCHESTER, NY 14604-2701 UNITED STATES
<b>Other Party</b>	Defendant National Vitamin Company, Inc. National Vitamin Company, Inc. 2075 West Scranton Avenue Porterville, CA 93257

### **Motion for Suspension for Settlement With Consent**

The parties are actively engaged in negotiations for the settlement of this matter. BAUSCH & LOMB INCORPORATED requests that this proceeding be suspended for 60 days to allow the parties to continue their settlement efforts.

BAUSCH & LOMB INCORPORATED has secured the express consent of all other parties to this proceeding for the suspension requested herein.

BAUSCH & LOMB INCORPORATED has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

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10/06/2005